

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CIVIL ACTION NO. 1:10cv0022 (WOB-SKB)

DENNIS A. COUCH

PETITIONER

VS.

ORDER

WARDEN, LEBANON CORRECTIONAL
INSTITUTION

RESPONDENT

This matter is before the court on the Report and Recommendation of the United States Magistrate Judge (Doc. #8), and there being no objections filed thereto, and the court being sufficiently advised,

IT IS ORDERED that the Report and Recommendation be, and it hereby is, **adopted** as the findings of fact and conclusions of law of this court; that the petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254 be, and it hereby is, **denied**, with prejudice; that a Certificate of Appealability shall not issue herein; and that the court certifies that any application to proceed *in forma pauperis* on appeal would not be taken in "good faith." A separate Judgment shall enter concurrently herewith.

This 16th day of March, 2011.



Signed By:

William O. Bertelsman WOB

United States District Judge